

SPAIN AND THE UNITED STATES.

The Madrid Reply to the Washington Note.

A Small Amount of Legal Concession to American Prisoners in Cuba.

MUST ADHERE TO THE TREATY OF 1795.

[SPECIAL DESPATCH TO THE HERALD BY CABLE.]

LONDON, Nov. 26, 1875.

A special despatch to the *Daily Telegraph* from Paris states that in the Spanish reply to the Washington government nothing is conceded to the United States, except that the accused may invoke the aid of counsel before a court martial in Cuba.

SPANISH PROMISES OF REFORM—WON'T ADHERE TO THE TREATY OF 1795.

A telegram from Madrid to the same paper says, so far as can be learned, Spain promises reform in the matter of confiscation of property, but declines to adhere to the treaty of 1795.

SPANISH REPORT OF THE PROGRESS OF THE NEGOTIATIONS WITH AMERICA.

MADRID, Nov. 26, 1875.

It has been ascertained from official sources that the negotiations between Spain and the United States are proceeding favorably. The rumors spread by the newspapers that difficulties have arisen are absolutely incorrect.

The relations between the two countries may be regarded as excellent.

SPAIN AND ENGLAND.

THE BRITISH MINISTER IN MADRID REFUSES TO MEET THE BUTCHER BURRIEL, OF CUBA—SPANISH REMONSTRANCE.

LONDON, Nov. 26, 1875.

The *Daily Telegraph* this morning publishes a special telegram from Madrid, containing the following:—

Hon. A. H. Layard, the British Minister, while passing through Bilbao recently, refused to receive a visit from General Burriel, who is the Captain General of the Province, and who, it will be remembered, directed the execution of the Virginian captives.

It is reported that the Minister of State has remonstrated with Mr. Layard.

ENGLAND AND EGYPT.

THE BRITISH FINANCIAL PROJECT OF PURCHASE OF SUZ CANAL SHARES—ENGLISH EXPLANATION OF THE SPECULATION—MATERIAL ADVANTAGES.

LONDON, Nov. 26, 1875.

The *Times*, in its financial article to-day, says, in relation to the purchase by Great Britain of 175,000 shares of the Canal:—

A breathing time, most essential to Egypt is secured. The value of the purchase to England is great, and probably will be taken by the public mind more as a loan, than as a purchase of shares. By buying up the rest of the shares, and paying the two loans raised by the company, amounting to £4,800,000, England would be in possession of the entire property. The advantage of the bargain materially is a secondary question. The purchase was made for political reasons, therefore the importance of the step hardly to be overrated. For a considerable time it seemed that the Egyptian years' coupons, which the Khedive heretofore sold.

THE KHEDIVE'S PECUNIARY INTEREST IN THE SUZ CANAL—HOW ENGLAND IS TO BE REMUNERATED FOR HER MONEY OUTLAY.

LONDON, Nov. 26—Evening.

The Khedive's shares in the Canal, according to an old arrangement with the Canal Company, receive no dividend for nineteen years; consequently their uncoined purchase by the British government would, in pecuniary sense, be wholly unprofitable for that time. But a recent telegram from Cairo states that Egypt has agreed to pay Great Britain five per cent. of the amount of the purchase money—£4,800,000 sterling—for nineteen years.

VON ARNIM AND BISMARCK.

GERMAN DEMAND FOR A TREASON PROSECUTION AGAINST THE EX-MINISTER.

BERLIN, Nov. 26, 1875.

The Public Prosecutor of North Germany has applied to the Senate of the State Tribunal to indict Von Arnim for treason, because of his alleged authorship of the pamphlet which recently appeared.

The Senate has decided to answer the application in secret session next Wednesday.

THE STEAMSHIP AMERIQUE.

HAVRE, Nov. 26—Evening.

The steamer *Amerique*, before reported as proceeding under sail, having broken her shaft, has not yet arrived in port. One of the Transatlantic Company's steamers was left St. Nazaire to meet her.

COMMERCIAL FAILURE.

LONDON, Nov. 26, 1875.

The report of the failure of the Manila house of Russell, Sturges & Co. is confirmed.

THE TORPEDO STATION.

INCREASED ACTIVITY AT THE STATION—TORPEDOES SHIPPED TO NEW YORK—OVERWORK AT THE NITRO-GLYCERINE WORKS.

NEW YORK, R. I., Nov. 26, 1875.

Almost every night during the past week torpedoes and their fuzes have been shipped from this place to New York and elsewhere, which is an unusual affair, as no torpedoes have been shipped before since the capture of the *Virginia*. All hands are busily engaged in getting torpedoes ready to be shipped, and in the nitro-glycerine works the men have been doing overwork for some time past.

A LAKE STEAMER DISABLED.

THE VERMONT TOTALLY DISABLED ON LAKE CHAMPLAIN—A NARROW ESCAPE FROM DESTRUCTION—THE SHAFT BROKEN IN THE CENTRE.

BURLINGTON, Vt., Nov. 26, 1875.

The Lake Champlain steamer *Vermont*, on her trip south this forenoon, broke the main shaft when about two miles north of Essex, N. Y., and drifted back to ward this port, from which the *Adirondack* was at once sent out, and towed the disabled steamer to Shelburn Harbor. The *Vermont* was blowing a gale at the time of the disaster. She was totally disabled, and drifted broadside to the wind six miles, dragging her anchors, finally casting them when within only twenty rods of the rocky shore of the southern group of islands known as "Four Brothers." Two officers then promptly manned a lifeboat and rowed through the high waves to this city, to give information of the disaster and secure relief. The cause of the breaking of the shaft was a bad weld in the centre.

She had but few passengers, who have all arrived safely here. The *Adirondack* will take the *Vermont* to the place on the line for the remainder of the week, when all the steamers will go into winter quarters except the ferryboat between Burlington and Plattsburgh.

SUPPOSED SHIPWRECK.

SAN FRANCISCO, Nov. 26, 1875.

The schooner *Sansone*, hence for Coos Bay, is ashore bottom up at the mouth of the Columbia River. She is reported to have had thirty passengers, besides a crew of ten. All are supposed to be lost.

VICTIMS OF THE PACIFIC.

SAN FRANCISCO, Nov. 26, 1875.

Benjamin F. Gertz, of Boston, and Charles Knight and wife, of Waltham, took passage on the *Pacific* and were lost with the others.

THE WHISKEY RING.

CONTINUATION OF THE TRIAL OF CHIEF CLERK AVERY—AN ATTEMPT TO IMPLICATE SECRETARY BRISTOW—MORE LIGHT ON WHAT WERE DARK.

St. Louis, Mo., Nov. 26, 1875.

The case of William O. Avery, resumed this morning in the United States Court, and the evidence elicited during the day is considered quite strong against the defendant. The government attorneys are sanguine of success, and claim that the proof is already overwhelming. The reference to Secretary Bristow's reputed connection with a Louisville liquor house had been the subject of much gossip and scandal, the ringsters endeavoring to create the impression with the public that Bristow's skirts are not clean by any means.

Sehon D. Thorpe, ex-storekeeper, was the first witness. The bulk of his testimony was substantially as he gave at the McDonald trial. He said Joyce frequently showed him a letter, which purported to be either from Avery or Babcock, relative to crooked whiskey; the letters were always of the same secure character; he was frequently informed that the parties to the Ring were Joyce, McDonald, Ford, Gunther, McKee, Newcomb, Patrick, Avery and other officers in Washington not named; witness met Avery at Macklot, at Thompson's distillery, in company with Fitzroy and Croppin in the fall of 1872 or 1873; they went through the distillery and then left; witness said he did not think Joyce showed him the signature of the Avery letter; Fitzroy once showed a letter bearing Avery's signature.

ALFRED BEVIS, one of the crooked distillers, testified that he had always been in the understanding that Avery and Babcock were members of the Ring; Joyce frequently showed despatches and letters purporting to come from Avery and Babcock notifying the Ring of the coming of agents; when Brooks, Hague and Gavitt came here the distillers knew before they started that they were about to make a raid in the West. In April, 1875, \$5,000 was raised at two different times and paid to General McDonald and Joyce to be taken to Washington; witness met Avery in St. Louis one Sunday evening, in 1872, with Fitzroy; both of them accompanied him to his home, where they had wine. A despatch came to St. Louis from Mr. Barnes, of New York, about four days before the seizure in May, announcing that "lightning would strike." The telegram was sent to the house of Torline, Andrews & Co., of St. Louis. Barnes was a travelling agent for the house of Newcomb, Barnes & Co., of Louisville, who seemed to know all about it. Barnes had just been to Washington.

A COLLAPSED SENSATION.

The witness created a great sensation by stating here that he had been told that Secretary Bristow was a partner in the Louisville firm referred to.

Governor Henderson, counsel for the government, asked witness who told him this. He replied first that he didn't like to state, and then that he didn't remember who it was.

Governor Henderson told witness that he did very wrong in making any such statement unless the information came to him from some member of the Ring.

Judge Krum, attorney for the defense, said there were other gobs than the St. Louis Ring.

Mr. Henderson replied that if the defense would show that Secretary Bristow was a member of the Ring the prosecution would have him indicted at once.

A TREASURY CLERK'S INTEGRITY.

J. F. Joseph, a clerk in the office of the Secretary of the Treasury, testified that in 1872, at Avery's request, he sent him to St. Louis to investigate reported irregularities in the accounts of Gunther; Avery came here and reported the accounts "all right" some time in December, 1872; he met him on the street in Washington and he remarked that Joyce was going to send him a Christmas present of \$100 each; in February, 1873, Avery came into his room in the Treasury Department, and handed witness a package containing a \$100 bill; witness immediately notified Avery that he was going to return the money to Joyce, and at once bought a draft for that purpose and sent it to Joyce at St. Louis; he reported the matter to Deputy Commissioner Rogers, who spoke to Avery about it; Avery said he was going to return the \$100 bill; the bill was folded in a little wad about one inch square, and wrapped in a paper bearing the name of witness; Rogers reported the matter to Commissioner Douglas, and Joyce was at once telegraphed to come to Washington; Joyce came and saw Mr. Douglas, and witness was unable to learn what was said.

TELEGRAMS TO AND FROM WASHINGTON.

Lucien Eaton, one of the government attorneys, then introduced and read the following telegrams, which carry their own construction:—

WASHINGTON, D. C., July 1, 1874.

General John McDonald, Supervisor of Internal Revenue, St. Louis, Mo.:

Things look all right here. Let the machine go.

JOYCE.

WASHINGTON, D. C., July 1, 1874.

General John McDonald, Supervisor of Internal Revenue, St. Louis, Mo.:

Here, on my return home. What can I do for our side.

JOYCE.

WASHINGTON, D. C., July 1, 1874.

General John McDonald, Supervisor of Internal Revenue, St. Louis, Mo.:

Have friends started West again? Find out; let me know.

A.

St. Louis, August 6, 1874.

Colonel William O. Avery, Treasury Department, Washington:

Have friends started West again? Find out; let me know.

A.

St. Louis, August 26, 1874.

Colonel William Avery, Chief Clerk Treasury Department, St. Louis, Mo.:

Are friends coming West? See H. and give me soundings.

JOYCE.

WASHINGTON, D. C., Oct. 17, 1874.

John A. Joyce, St. Louis, Mo.:

Your friend is in New York and may come out to see you.

JOYCE.

St. Louis, Oct. 18, 1874.

Colonel W. O. Avery, Treasury Department, Washington, D. C.:

Give something positive on movement of friends. Act sure, prompt.

A.

WASHINGTON, Oct. 19, 1874.

John A. Joyce, St. Louis, Mo.:

Put your house in order. Your friends will visit you.

JOYCE.

WASHINGTON, D. C., Dec. 7, 1874.

Colonel John A. Joyce, Planter's House, St. Louis, Mo.:

Had long ride with the President this afternoon. B. and H. are here. You will hear from me to-morrow.

JOYCE.

WASHINGTON, D. C., Dec. 8, 1874.

John A. Joyce, Planter's House, St. Louis, Mo.:

Dead dog. The goose hangs altitude. The sun shines.

JOYCE.

WASHINGTON, D. C., Feb. 6, 1875.

John A. Joyce, Revenue Agent, St. Louis:

The order directing you to report to Supervisor McDonald, at Philadelphia, is suspended.

W. DOUGLASS, Commissioner.

WASHINGTON, D. C., Feb. 6, 1875.

General John McDonald, St. Louis:

Order, buried forever. D. & Co. mad; hold things level.

KARREY.

At the conclusion of the reading of the telegrams the Court adjourned this morning at ten o'clock, Judge Treat giving his usual caution to the jurors not to allow themselves to be approached on the subject of the case.

THE CANADIAN TARIFF.

Toronto, Nov. 26, 1875.

In accordance with a resolution issued by the Executive Committee of the Manufacturers' Association, a meeting of the members is being held here, at which a set of resolutions is under discussion. The most important resolution is one relating to the imposition of duties on the productions of foreign countries, the mother country excepted, equal to the duties imposed by such foreign countries on similar Canadian productions, but never less than British goods.

A CANADIAN ALDERMAN IN TROUBLE.

Toronto, Nov. 26, 1875.

Ex-Alderman Clement was arrested here this morning on a charge of complicity in the murder of the late Mr. Gilmore, for causing the death of Dr. Davis and wife, abortionists, were recently sentenced to be hanged.

THE OPHIR MINES.

SAN FRANCISCO, Nov. 26, 1875.

A despatch from Virginia City says the new Ophir works began hoisting from the 1,300 feet level yesterday, and in a few days work on the lower level will be going on as usual.

THE ORDER OF ST. GREGORY THE GREAT.

QUINCY, Canada, Nov. 26, 1875.

The Pope has conferred on Lieutenant General Caron the Grand Cross of the Order of St. Gregory the Great.

WASHINGTON.

FROM OUR REGULAR CORRESPONDENT.

THE LINE OF SUCCESSION TO THE PRESIDENCY—DEFECTS IN THE LAW.

WASHINGTON, Nov. 26, 1875.

The question who should become President in the emergency of vacancies in all the four offices of President and Vice President of the United States, President and Speaker of the House, and the Senate, is a subject of attempted Congressional legislation in the excitement following the assassination of Abraham Lincoln and the impeachment of Andrew Johnson.

The defects of the law of 1792 were, at that time as now, perceived. In view of a remote and improbable but possible contingency such as the law should cover it was proposed to amend the act of 1792 so as to provide that, in case of the four vacancies above specified, the Chief Justice of the United States, and after him the Associate Judges of the Supreme Court in the order of their seniority of appointment, should become President. A bill to this effect was proposed in Congress. Indeed, some go so far as to assert that the bill passed both houses of Congress and became a law, but there is no record of it to be found in the documents of Congress for the past sixteen years. Even if it had been enacted, as is asserted, it would now be null and void for the reason that it was not codified into the last Revised Statutes of the United States, and being omitted therefrom, under the law of 1873, stand repealed. There is no way now of supplying the defect of the law of 1792 other than by special act of Congress declaring the line of succession to the Presidency, and making it long enough to obviate the remotest probability of such an emergency as has been suggested by the death of Vice President Wilson.

GENERAL COWAN ON THE OSAGE INDIAN RING.

General Cowan, Assistant Secretary of the Interior, says he knows nothing of the removal of Enoch Hoag, but he thinks that the Osage Indian Ring is rotten. While he was acting Secretary he ordered the Quakers to remove Agent Gibson, of the Osage Agency, without delay. The Governor of Kansas has been opposed to Hoag for some time and the people of his State are determined to crush the Osage Ring, with whom, it is claimed, Hoag is working.

ARRIVAL OF QUAKERS.

Three well known Quakers—Ben Tatham, of New York; James E. Rhoads, of Philadelphia, and William Nicholson, of Kansas—arrived here to-day on business connected with the Kansas Indian troubles.

ATTEMPTED MURDER OF A CONTRACTOR.

Commissioner Smith received a despatch to-day from Saville, agent at Red Cloud, to the effect that Mosier, the notorious beef contractor, had been shot at by the Indians.

GENERAL WASHINGTON DESPATCHES.

WASHINGTON, Nov. 26, 1875.

The correspondence between the United States and Great Britain, alluded to in the Ottawa despatch of to-day, has reference to that part of the Treaty of Washington which provides for the free importation, by either country, of fish of all kinds, excepting fish preserved in oil. Congress, however, in amending the tariff, provided that all foreign caught fish imported otherwise than in barrels or half barrels shall pay fifty cents per 100 pounds. The Canadians contend that this duty is in contravention of the Treaty of Washington. The Secretary of the Treasury some time ago (the subject having been officially brought to his attention) said that his duty was to follow the law, and that the remedy was with Congress. It is, therefore, probable that this subject will be presented by the President to the consideration of that body.

INDIAN MOVEMENTS.

CHICKENSVILLE, N. T., Nov. 26, 1875.

Colonel Stanton arrived here last night, and reports extremely cold weather north. The Indians suffered considerably. Captain Pollock's command has evacuated the Black Hills and arrived at Fort Laramie to go into quarters. Hundreds of miners were met going into the Black Hills, which are now unoccupied by the military.

California Joe, after being released upon a charge of murdering an old man named Richard and his nephew, was rearrested at Red Cloud for attempted murder of his partner and placed in the guard house at Camp Robinson. He escaped the night before last, and a number of shots were fired at him by the guard, and is now at large.

General McDowell has been arrested for selling whiskey at the agencies, and is coming to Cheyenne under guard for trial.

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RECENT NEW ENGLAND FAILURES.

Boston, Nov. 26, 1875.

The Commercial Bulletin reports the following:—

The heaviest creditor of Royal, Silkey & Co., the failed coal and lumber firm of Watertown, Mass., is said to be the Fitchburg Railroad Company. The Eastern Railroad Company will probably suffer considerably, and large lumber dealers North and East from whom the firm derived its immense supply will also sustain heavy losses. It is said that Pennsylvania coal is also involved to a greater or lesser extent. Of the liabilities of the firm some \$72,000 are secured and \$170,000 unsecured.

The creditors of Cyrus Carpenter, furnaces and ranges, Boston, have voted to accept ten cents on the dollar. The affairs of the firm will probably be settled under the composition clause of the Bankruptcy law at this rate.

A composition of thirty-seven cents has been passed by the creditors of Charles M. Mathews and William E. Cox, Boston, book and shoe dealers, of the firm of C. & M. Cox, corner of Pearl and Franklin streets.

The combined liabilities of A. & A. Jacobs & Co. and H. Jacobs, provisions, Boston, are reported at about \$500,000, and the assets \$100,000.

THE LEE & SHEPARD FAILURE.

Boston, Nov. 26, 1875.

It is stated that leading creditors of Lee & Shepard to-day unanimously accepted the proposition of the firm to pay twenty-five cents on the dollar, in eight installments, at intervals of three months each.

CUSTOM HOUSE REFRESHMENT.

Detroit, Mich., Nov. 26, 1875.

It is understood that orders have been received to make extensive reductions both in the salaries and the number of clerks in the United States Customs Department of this district.

THE PRESIDENCY.

CHIEF JUSTICE WAITE DECLINES TO CONSIDER ANY SUGGESTION AS TO HIS BEING A CANDIDATE FOR THE PRESIDENCY—A VERY DIGNIFIED REFUSAL.

TOLSON, Nov. 26, 1875.

The Commercial of to-morrow morning will contain an article on Chief Justice Waite and the Presidency, embracing an extract from a private letter from that gentleman, in answer to one from a friend urging his assent to a movement in his behalf in that connection. The Judge positively refuses such assent, and in giving his reasons therefor says:—

Of course, I am always grateful to my friends for any efforts in my behalf, and no one could have more faithful or indignant. But do you think it quite right for one occupying the first judicial position in the land to permit the name of his office to be used in a political campaign? The office came to me with honor,